

REGULAR MEETING HELD ON WEDNESDAY, JUNE 26, 2013

5:00 PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR at 5:02 p.m.

2. ROLL CALL Freeholder Crabb; Freeholder Graham; Freeholder Mudrick;
Freeholder Director Vohden; John Eskilson, County Administrator;
Dennis McConnell, County Counsel; Elaine Morgan, Clerk

MOTION made by Freeholder Graham to excuse Freeholder Phoebus from this meeting, seconded by Freeholder Crabb and passed unanimously.

Freeholder Phoebus was excused.

3. MOMENT OF SILENT PRAYER AND SALUTE TO THE FLAG

4. PUBLIC STATEMENT

"Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975 Adequate Notice as defined by Section 3D of Chapter 231, P.L. 1975, has been made by regular mail, such notice being submitted on January 8, 2013 from the Administrative Center of the County of Sussex, located at One Spring Street, Newton, New Jersey to the following:

New Jersey Herald	WSUS Radio
New Jersey Sunday Herald	WNNJ Radio
Star Ledger	

and is also posted on the bulletin board maintained in the Administrative Center for public announcements and has been submitted to the Sussex County Clerk in compliance with said Act."

5. PUBLIC HEARINGS

A.

PUBLIC HEARING – 5:04 PM

**FINAL ADOPTION – CAPITAL ORDINANCE
344-2013**

Freeholder Director Vohden: "At our regular meeting held on June 12 , 2013, we introduced for first reading the following Capital Ordinance which was advertised in the New Jersey Herald issue of June 17, 2013, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

CAPITAL ORDINANCE APPROPRIATING \$580,000.00 TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TRUST FUND'S LOCAL BRIDGES, FUTURE NEEDS PROGRAM (LBFN) FOR THE REHABILITATION OF SUSSEX COUNTY BRIDGE E-06, CR-631

MOTION that the Public Hearing be opened made by Freeholder Crabb, seconded by Freeholder Graham and passed unanimously.

Is anyone present to be heard regarding this Capital Ordinance?

There was no one.

MOTION that the Public Hearing be closed made by Freeholder Crabb, seconded by Freeholder Graham and passed unanimously.

MOTION that this Capital Ordinance be finally adopted made by Freeholder Crabb, seconded by Freeholder Mudrick.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Director Vohden	Yes

MOTION to authorize the Clerk to advertise this Capital Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center made by Freeholder Graham, seconded by Freeholder Crabb and passed unanimously.

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Presentations

1. Acknowledging the retirement of Albert R. Metz, III, Senior Building Maintenance Worker for the Division of Facilities Management, who retired after 10 years with the County.

7. PUBLIC SESSION FROM THE FLOOR

(Please note: Everyone is asked to keep their comments to 5 minutes or less)

MOTION made at 5:06 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Graham and passed unanimously.

Comments from Harry Dunleavy

Harry Dunleavy of Augusta came forward; he asked the Board why they held its meetings at 5:00 p.m. instead of later so that more people could attend.

Freeholder Vohden responded that this was not an easy question and this is a subject that has been debated for years and was too complicated to answer within the five minute time limit.

Mr. Eskilson explained that this timeframe also allowed the Freeholder Board to move onto many other meetings later in the evening such as the League of Municipalities.

Freeholder Crabb added that no matter what time of day they held the meetings, attendance stayed close to the same and that is why there is a second Open Session at the end of the meeting to accommodate people that can't arrive here until a little later.

Mr. Dunleavy questioned the salary being paid to the Sheriff and why didn't somebody notice this before if it was illegal as the article in the New Jersey Herald stated today.

Freeholder Vohden said it has been handled in the same way for a number of years and no one ever took a close look at it since it had always been handled that way.

Mr. Dunleavy said that he daily utilizes the trails and there is nobody cutting the grass on these trails and they are a total mess; he was wondering if the prisoners at the jail could be utilized to trim those trails.

Mr. Eskilson said that it was a possibility that the prisoners could be used but the request would have come to from the State Park System because the State owns the trails, to the Sheriff, to the SLAP Program.

Mr. Dunleavy explained that he has written a number of letters to organizations concerning soldiers coming back from war saying that he might be able to assist these soldiers from an

educational point of view and after all the letters he has written he has only received one response from Fort Dix and nobody else has ever bothered to contact him.

Freeholder Vohden said that just yesterday he received a call to go to the Armory in Hackettstown where he met with Governor Christie's wife and her initiative, "New Jersey Heroes" where grants and scholarships are presented to recently discharged military personnel; Freeholder Vohden feels this program would be a good contact for Mr. Dunleavy and Freeholder Vohden will help Mr. Dunleavy get in touch with them.

Comment from Ann Smulewicz

Ann Smulewicz of Wantage came forward; she addressed Item 15.B.1. on the Agenda and stated her objections with regards to the County Clerk and the Surrogate, but added that the Sheriff was well deserving; Ms. Smulewicz added that the Freeholder Board was underpaid.

Ms. Smulewicz also brought up the subject of Hoboken being an Abbott District and how it affects Sussex County.

There was a lengthy discussion on both subjects.

Additional Comment from Harry Dunleavy

Mr. Dunleavy came forward again and spoke about the high salaries that are being paid to the Superintendants of the schools in Sussex County when the Legislators in this County are not getting paid for the decisions that they have to make; he felt the Legislators should make \$100,000.00.

Comment from Kathy Brennan

Kathy Brennan of Newton came forward; she questioned how the County could afford the special election and would the Board consider passing a Resolution in opposition to this election.

There was a lengthy discussion and Bernie Re, County Treasurer, came forward and advised that he just received an email from John Donnadio, Executive Director, New Jersey Association of Counties, that there is a meeting on Friday to try and get some resolve for this statewide issue on behalf of all the Counties, including Sussex County.

MOTION made at 5:34 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Graham and passed unanimously.

8. FREEHOLDERS' COMMENTS

Comments from Freeholder Mudrick

- **Sussex County Technical School Graduation**

Freeholders Mudrick and Graham attended the graduation and Freeholder Mudrick was very impressed.

- **Water Quality Management Policy Advisory Committee (208)**

Freeholder Mudrick attended the recent meeting in which there was a presentation on "Food2" which is a machine that takes solids and breaks them down into liquids and due to some reservations, the Committee wants to do further research before moving forward.

- **Workforce Investment Board (WIB)**

Freeholder Mudrick went to the WIB meeting which was held at the Farmstead and reported that there is reason for optimism, economically speaking, especially with regards to unemployment in Sussex County.

Comments from Freeholder Crabb

- **Financial Report**

Freeholder Crabb reported that County Treasurer, Bernie Re, put out a new financial report and one of the main points was that the County is in pretty strong shape even with the debt exposure that the County has.

Mr. Re came forward and reported that the County is issuing bonds and notes and are going to close on these Friday; the County was reaffirmed on its AA Rating from Standard and Poor's with a stable outlook; he concluded by saying that compared to other Counties, Sussex County's debt load is pretty low.

Comments from Freeholder Graham

- **Sussex County Technical School Graduation**

Freeholder Graham reported that he and Freeholder Mudrick attended that graduation and was very impressed.

- **Sussex County Fire Academy**

Freeholder Graham attended a lengthy meeting at the Fire Academy and was impressed with how they are doing things on a "shoestring" with over 1,900 firefighters going through the Academy last year; he also commended Larry Bono for the job he is doing.

- **Lake Musconetcong Regional Planning Board**

Freeholder Graham attended this meeting and reported that the herbicides are working and gave some interesting history on Lake Musconetcong; he said that on July 6th at 9:00 a.m. there will be a chestnut removal, free kayaks are supplied and people pull weeds and are given free food for their hard work.

Comments from Freeholder Vohden

- **North Jersey Transportation Planning Authority (NJTPA)**

Freeholder Vohden attended that NJTPA's Project Prioritization Committee Meeting with the County's Transportation Planner, Tom Drabic; he gave the Board an updated report of their activities.

- **Complete Streets**

Freeholder Vohden said that for two days there were Complete Street Meetings held with representatives from NJTPA, NJ Department of Transportation and the Complete Street Pilot Study Team and they talked about the trail intersections with the County and State roads.

- **Farmland Preservation**

Freeholder Vohden reported that the County has reached a milestone of 17,112 acres of farmland that has been preserved which was reported at the Ag Development Board Meeting by Donna Traylor; that is a total of 174 separate farms.

- **Peters Valley School of Craft**

Freeholder Vohden and Mr. McConnell were asked to visit and tour the facility and to determine if there was any way Sussex County could assist them with their capital projects.

9. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: PAYMENT OF BILLS
345-2013
- B. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF
346-2013 ANY SPECIAL ITEM OF REVENUE IN THE 2013 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE FY 2011 ACCESS AND FUNCTIONAL NEEDS PROGRAM ASSISTANCE, 11 EMPG-AFNPA-08, OCTOBER 1, 2012 TO DECEMBER 31, 2013 FOR THE TOTAL AMOUNT OF \$23,000.00
- C. RESOLUTION RE: AUTHORIZING A SHARED SERVICES AGREEMENT
347-2013 BETWEEN THE COUNTY OF SUSSEX, THE COUNTY OF HUNTERDON, THE COUNTY OF MORRIS, AND THE COUNTY OF WARREN FOR THE PROVISION OF TEMPORARY INMATE HOUSING IN THE EVENT OF ANY EMERGENCY PRISONER EVACUATIONS THAT MAY OCCUR AT EITHER CORRECTIONAL FACILITY IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.
- D. RESOLUTION RE: AUTHORIZATION FOR THE SUSSEX COUNTY DIVISION
348-2013 OF SENIOR SERVICES TO APPLY FOR GRANT FUNDS FROM THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES, DIVISION OF FAMILY HEALTH SERVICES FOR THE ADMINISTRATION OF THE SENIOR FARMERS MARKET NUTRITION PROGRAM FOR THE PERIOD OF JUNE 1, 2013 TO SEPTEMBER 30, 2013 (Resolution authorizes this application in the amount of \$500.00 with no match requirement)
- E. RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN
349-2013 FREEHOLDERS TO ENDORSE A MODIFICATION ALLOWING FOR A NO COST TIME EXTENSION UNTIL DECEMBER 31, 2013 FOR THE ACCESS AND FUNCTIONAL NEEDS PROGRAM ASSISTANCE GRANT, EMERGENCY ASSISTANCE PERFORMANCE GRANT (AFNPA) (Resolution authorizes this no-cost time extension due to the funds being available at a later date than was expected)
- F. RESOLUTION RE: AUTHORIZATION FOR THE SUSSEX COUNTY BOARD
350-2013 OF CHOSEN FREEHOLDERS TO APPROVE THE SUBMISSION OF AN APPLICATION WITH THE NJ DEPARTMENT OF HEALTH AND SENIOR SERVICES FOR THE PROVISION OF THE LOCAL CORE CAPACITY FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FOR THE PERIOD OF July 1, 2013 TO JUNE 30, 2014 (Resolution authorizes this Application for funding for Sussex County as Grantee in the amount of \$290,222.00 and for the County of Hunterdon as a Sub-Grantee in the amount of \$289,032.00, or a combined total of \$579,254.00)
- G. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR
351-2013 TO EXECUTE THE TRANSPORTATION CONTRACT WITH THE NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT TO PROVIDE \$33,660.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JULY 1, 2013 TO JUNE 30, 2014

- H. **RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ROADWAY CRACK SEALING FOR THE SUSSEX COUNTY DEPARTMENT OF ENGINEERING AND PLANNING (Resolution authorizes this purchase from Micro Pave Systems, Inc. in the total amount of \$300,000.00)**
352-2013

- I. **RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF MICRO-SURFACING FOR THE SUSSEX COUNTY DEPARTMENT OF ENGINEERING AND PLANNING (Resolution authorizes this purchase from Asphalt Paving Systems in the total amount not to exceed \$711,770.00)**
353-2013

- J. **RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ROADWAY TRAFFIC STRIPING FOR THE SUSSEX COUNTY DEPARTMENT OF ENGINEERING AND PLANNING (Resolution authorizes this purchase from Denville Line Painting, Inc. up to the total amount of \$210,000.00)**
354-2013

- K. **RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF WHEEL LIFT EQUIPMENT FOR THE SUSSEX COUNTY OFFICE OF FLEET MANAGEMENT (Resolution authorized this purchase from Steril Koni USA, Inc., in the approximate total amount of \$49,899.00)**
355-2013

Freeholder Vohden pulled Resolution 9.L. from the Agenda for further review.

- L. **RESOLUTION RE: SUPPORTING AN ECONOMIC STUDY OF SUSSEX COUNTY AND THE SURROUNDING REGION**
NO ACTION TAKEN

- M. **RESOLUTION RE: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH NEW JERSEY TRANSIT CORPORATION AND THE U.S. DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE COUNTY OF SUSSEX FOR A TRANSPORTATION GRANT UNDER ARRA-NJ-86-0001 SECTION 5311 OF THE FEDERAL TRANSIT ADMINISTRATION FOR THE LEASE OF ONE LIFT EQUIPPED VEHICLE (Resolution authorizes this Agreement for one 16+2 passenger minibus with wheelchair lift)**
356-2013

The Board of Chosen Freeholders of the County of Sussex has reviewed the Consent Agenda consisting of various proposed Resolutions and determined that adoption of the said Resolutions is in and will further the public interest.

MOTION made by Freeholder Crabb to approve the Financial Consent Agenda with exclusion of Item 9.L., seconded by Freeholder Mudrick.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes, but abstained on Item 9.J.
Freeholder Mudrick	Yes
Freeholder Director Vohden	Yes

10. APPROVAL OF MINUTES Regular Meeting June 12, 2013

Release of Executive Session Minutes
Portion of Regular Meeting of March 13, 2013

MOTION made by Freeholder Graham to approve the Minutes of the Regular Meeting June 12, 2013 and to release a portion of the Execution Session Minutes of the Regular Meeting of March 13, 2013, seconded by Freeholder Crabb and passed unanimously.

11. **APPOINTMENTS AND/OR RESIGNATIONS**

A. Appointments

1. **RESOLUTION RE: APPOINTMENT OF JOSEPH LASHENDOCK AS A MEMBER-AT-LARGE OF THE SUSSEX COUNTY WATER QUALITY MANAGEMENT POLICY ADVISORY COMMITTEE FOR A TERM OF THREE (3) YEARS. TERM TO BEGIN IMMEDIATELY AND EXPIRE ON DECEMBER 31, 2015**
357-2013

MOTION made by Freeholder Graham to adopt this Resolution, seconded by Freeholder Crabb and passed with Freeholder Mudrick abstaining.

12. **RESOLUTIONS**

- A.. **RESOLUTION RE: AUTHORIZATION FOR THE COUNTY ENGINEER TO IMPLEMENT A TEMPORARY TRAFFIC CONTROL PLAN ENTITLED "DETOUR OF BRIDGE S-07, CARRYING CR 521, OVER BRANCH OF PAULINS KILL, STILLWATER TWP, SUSSEX COUNTY, NJ: DETOUR & TRAFFIC CONTROL PLAN", DATED JUNE 11, 2013, PREPARED BY THE SUSSEX COUNTY DIVISION OF ENGINEERING FOR THE TEMPORARY TRAFFIC CONTROL WORK ZONE REQUIRED TO ADVANCE INSTALLATION OF REMEDIAL TRAFFIC SAFETY MEASURES**
358-2013
- B. **RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 517 & CR 613 IN SPARTA TOWNSHIP, BYRAM TOWNSHIP AND ANDOVER TOWNSHIP (Resolution authorizes this temporary closure for the Pass It Along Lake Mohawk Country Club Triathlon)**
359-2013
- C. **RESOLUTION RE: AUTHORIZATION FOR THE COUNTY OF SUSSEX TO INITIATE COMPETITIVE CONTRACTING TO PROVIDE BROKER SERVICES FOR PRESCRIPTION DRUG INSURANCE**
360-2013
- D. **RESOLUTION RE: SETTING A PUBLIC HEARING TO AMEND THE DISTRICT SOLID WASTE MANAGEMENT PLAN FOR SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY AMENDMENT TO EXPAND LANDFILL**
361-2013

Freeholder Crabb asked if Item 12.D. was the next official step to move forward.

Mr. Eskilson replied, yes, that this is advancing to the Public Hearing as required by DEP regulations.

MOTION made by Freeholder Crabb to adopt these Resolutions, seconded by Freeholder Graham and passed unanimously.

13. **AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS**

A. Awards of Contracts

1. **RESOLUTION RE: AUTHORIZING ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH BROWN AND BROWN METRO, INC., TO PROVIDE BROKER SERVICES FOR PRESCRIPTION DRUG INSURANCE WITHOUT COMPETITIVE BIDDING AS AN EXTRAORDINARY UNSPECIFIABLE**
362-2013

SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(m)
(Resolution authorizes this Agreement in the amount
of \$27,750.00 for the term of January 1, 2013
through September 30, 2013)

2. **RESOLUTION RE: AUTHORIZING AMENDMENT #1 TO AN
363-2013** AWARDED CONTRACT FOR ELECTRICAL
ENGINEERING (P.E.) PROJECT
MANAGEMENT/IMPLEMENTATION REGISTERED
COMMUNICATIONS DISTRIBUTION DESIGNER
(Resolution authorizes this increase of \$15,840.00
(18.9%) to provide additional engineering services
within the scope of work which includes
programming and schematic design)

MOTION made by Freeholder Crabb to adopt these Resolutions, seconded by Freeholder
Mudrick.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Director Vohden	Yes

B. Change Orders

1. **RESOLUTION RE: AWARD OF CHANGE ORDER NO. 5 (FINAL) TO A
364-2013** CONTRACT BETWEEN THE COUNTY OF
SUSSEX AND EMPKO CONTRACTING, INC. FOR
THE REPLACEMENT OF SUSSEX COUNTY
BRIDGE Q-11 CARRYING COUNTY ROUTE 620
(GLEN ROAD) OVER SPARTA GLEN BROOK,
TOWNSHIP OF SPARTA, SUSSEX COUNTY, NEW
JERSEY (2009 ARRA GRANT IN THE AMOUNT OF
\$901,237.50)

MOTION made by Freeholder Crabb to adopt this Resolution, seconded by Freeholder Graham.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Director Vohden	Yes

14. **FINANCIAL**

- A. **RESOLUTION RE: CERTIFICATION OF REVIEW OF AUDIT BY GROUP
365-2013** AFFIDAVIT

MOTION made by Freeholder Crabb to adopt this Resolution, seconded by Freeholder
Graham.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Director Vohden	Yes

15. **PERSONNEL**

- A. Personnel Agenda (no Personnel Agenda for this meeting)

B. Resolutions

1. **RESOLUTION RE: AMENDING A RESOLUTION ENTITLED "SALARY INCREASES AND ESTABLISHMENT OF NEW SALARY RANGES FOR EMPLOYEES NOT REPRESENTED BY A BARGAINING AGENT FOR 2012 AND 2013" ADOPTED BY THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS ON FEBRUARY 22, 2012 (Resolution amends that Resolution to adjust the 2013 base salaries of the Sussex County Clerk, the Sussex County Surrogate and the Sussex County Sheriff)**
366-2013

MOTION made by Freeholder Crabb to adopt this Resolution, seconded by Freeholder Graham.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Director Vohden	Yes

16. ADMINISTRATIVE REPORT

- A. Other

Mr. Eskilson had no Administrative Report for this meeting.

17. COUNTY COUNSEL

- A. Capital Projects
- B. Litigation
- C. Contract
- D. Other Matters

Mr. McConnell had no items for this meeting.

18. UNFINISHED BUSINESS

There was no Unfinished Business.

19. NEW BUSINESS

There was no New Business.

**20. PUBLIC SESSION FROM THE FLOOR
(Please note: Everyone is asked to keep their comments to 5 minutes or less)**

MOTION made at 6:00 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Graham and passed unanimously.

Comment from Harry Dunleavy

Harry Dunleavy of Augusta came forward; he explained that earlier when he discussed the letters that he had written to the Herald, he was criticizing the minimum wage.

MOTION made at 6:02 p.m. by Freeholder Mudrick to close the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

21. EXECUTIVE SESSION

RESOLUTION RE: REQUESTING EXECUTIVE SESSION

There were no items for Executive Session.

- A. Personnel
- B. Contract
- C. Litigation
- D. Other Matters

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Sussex County Board of Chosen Freeholders that the public interest will no longer be served by such confidentiality.

22. REMINDERS

Thursday	July 4, 2013	Independence Day	Holiday
Wednesday	July 10, 2013	Regular Meeting	5:00 pm

23. ADJOURNMENT

MOTION made at 6:03 p.m. by Freeholder Crabb to adjourn, seconded by Freeholder Graham and passed unanimously.

Elaine A. Morgan, Clerk

Dated: June 26, 2013